

**MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – MARCH 19, 2008 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD**

1. CALL TO ORDER.

Mayor Stearley called the Meeting to order at 6:30 P.M. All Councilors were present.

Also present were Mr. Marcus Rael, Town Attorney, Mr. David Henderson, Attorney, Ms. Karen Mahalick, Manager, Community Planning & Development, and Ms. Estefanie Muller, Acting Administrator Clerk-Treasurer.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF AGENDA.

MOTION: Councilor Felton made a motion to approve the Agenda as presented with an amendment to table Item #21. Councilor Abrams seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

4. MATTERS FROM THE MAYOR.

A. Introduction of Mr. Marty Hibbs as appointed Interim Administrator. Mayor Stearley stated he has hired Mr. Hibbs as a part-time interim Administrator and Mr. Hibbs is the Mayor for the Town of Estancia. Mr. Hibbs stated he is looking into several issues for Mayor Stearley in regards to Public Safety with dispatch service and the attorney's addendum to the JPA. Mr. Hibbs is also successfully working on several other issues for the Town and moving along.

Mayor Stearley met with Mr. Marc Wurner, representative for Senator Bingaman. The Senator would like to attend the ribbon cutting ceremony at the sewer plant at the end of the summer.

5. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

B. Councilor Abrams – Discussion of the Town's Open Meetings Resolution. Councilor Abrams discussed his proposed changes to the Resolution changing the preliminary date of the Agenda to be posted and language referring to the Inspection of Public Records Act. A revised resolution will be presented at the next Council meeting for adoption.

C. Councilor Abrams – Draft Resolution for the Creation of a Municipal Power Authority.

Councilor Abrams reviewed his draft with the Councilors. Councilor Hill commended Councilor Abrams on jumping in and making an impact. Councilor Hill expressed his concern on the use of the word "authority". Councilor Simmons expressed her concern on the word "exceeds" and also difficulty on open end contracts. The Council discussed adding their own goals and reviewing this resolution with more detail.

6. MATTERS FROM THE ATTORNEY.

Mr. Rael stated he is working with Santa Fe County Attorney on the dispatch service for the Town and a meeting is scheduled with them.

Mr. Rael stated he was able to secure a judgment for fees owed to the Town's Municipal Court.

7. PUBLIC SAFETY.

D. Chief Paul Welch, Town of Edgewood.

Chief Welch updated on his work with the dispatch service and they will meet on April 17th and Santa Fe County is supportive. The Chief has met with the New Mexico State Police and they are assisting the Town with the transition. The primary issue is using their telecommunications NCIC – NMLETS. Having this is expensive in meeting the state and federal standards.

Chief Welch has received several applications and pending is the Council's choice of which PERA level and the hiring of retired officers. On the retired officers, the Town would be responsible for both the employer and employee portion of PERA. If retirees are hired part-time, under 20 hours, PERA is not offered. He has started some background work on these applicants. Also, if the Town is not going to staff a full time department, who would be the back-up agency to assist with calls? The vehicles ordered will be in soon and then will have the decals and equipment installed.

Chief Welch thanked Karen Mahalick for being persistent in getting the telephone equipment in. The police department telephone number is 281-5717.

E. Sgt. Florian Chavez, New Mexico State Police.

Sgt. Chavez stated they are working with Chief Welch to get the department going and will continue assisting with the transition.

8. PUBLIC COMMENTS. (Limit to 2 minutes per person).

If you plan to testify later under Public Hearings, please do not sign-up for the same topic. Public Comments are for items not on the Agenda.

Ms. Ann House stated she would like to propose an art and music youth program and use the Community Center for the program. There are 30 bands in the area and she requested waiving the fees for the rental and asked for assistance for advertising and resources.

Ms. Sue West thanked Chief Welch and the committee who worked on bringing the police department to where it is today. She commented on Mr. Hibbs speaking tonight and not going to micromanage, allow each member to speak for themselves. She discussed cutting taxes and at the same time not having enough money for the police department or expressed her concern on any cuts to the Parks and Recreation Department.

Ms. Carol Ring asked the Council not to rescind the naming of Highway 344 and Edgewood 7 for Mayor Keaty and feels the Town should honor him for getting Edgewood incorporated.

Mr. Chuck Ring addressed the issue of the Administrator, Mr. Hibbs and asked the Council to consider having two Mayor's in the Town. He sees a conflict of interest in

having two masters. On the Agenda is a discussion of rescinding the Ordinance of Administrator. He suggested an RFP and go through the hiring process and hiring an Administrator who will do a better job in keeping the Town in order. Mayor Stearley commented on the Ordinance and wanting to split out the position and duties with the Clerk-Treasurer.

Mr. Dick Pledger commented on the name change of Highway 344 and Edgewood 7. He asked that Edgewood 7 be changed but leave Highway 344 because of the businesses there.

Mr. Jim Edmiston, Chairman of the Parks & Recreation Advisory Committee is asking for support for the activities. \$500,000 has been awarded for athletic fields. Mayor Stearley stated he plans to re-appoint this committee.

Mr. Ralph Hill thanked the committee who worked on hiring the Police Chief and the work he is doing. He stated Wal-Mart seems to be exceeding expectations. Mr. Hill commented on the meeting held today on the electric coop costs and the angry residents there.

Ms. Nancy Holt commented was Mayor Stearley's thought of putting together a procurement friendly ordinance for local shopping and offered to assist with this.

Mr. Harlan Lawson has a Community Watch Meeting scheduled for this Friday, which he has received calls and asked to re-schedule. He has several security companies coming to demonstrate the need for business and home security. He is tentatively scheduling for March 28th at 7:00 P.M. He also commented on the cutting of taxes and cautioned that state or federal funding is not jeopardized.

Mr. Jim Smith stated he attended the CNM Coop meeting today and spoke with State Senator Joseph Carraro who asked about Edgewood.

Mr. Joseph Carrero stated he had attended the electric coop meeting today and heard the citizens talk about the increase to the rates. Although he is not from this district he will be running for Congress and Edgewood will become one of his constituents and he wants to become involved.

Mr. Fred Burger addressed the naming of Edgewood 7 to Keaty Road and supports this. He also inquired on the additional Handicap signs for the Community Center.

9. APPROVAL OF PREVIOUS MINUTES.

None.

10. APPROVAL OF CONSENT AGENDA.

Note: All matters under the Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

F. Animal Control Report for the month of February 2008.

MOTION: Councilor Felton made a motion to approve the Consent Agenda as

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presented. Councilor Simmons seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

11. ESTANCIA BASIN RESOURCE ASSOCIATION – Mr. Art Swenka.

Mr. Swenka reported on the financial statement for EBRA and they presently have \$148,000 in their bank. EBRA has sent a letter of support to EMW to be a regional water company as this is better to have a public water company instead of private water company. They have the benefit to do this with wholesale and retail as they already have the right-of ways in place. He discussed their newsletter that is sent out four times per year. Advertisement costs are \$80.00 per year. He sits on the Middle Rio Grande Council of Governments Water Resource Board and discussed the farmers south of Moriarty and water rights there. He also encouraged a 40 year water plan be adopted. Mr. Swenka asked the Council to consider the renewal of the MOU with EBRA and the Town renew again. There is a \$10,000 pledge to the Water Planning Committee to help put this together.

12. PUBLIC HEARINGS.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:

Noted: Ms. Mahalick affirmed the Public Notice requirement.

G. Amending Ordinance 1999-S Creating the Planning Commission.

Ms. Mahalick reviewed the changes proposed to Section 2.C., remove the words “during public hearing” and the change to Section 4.A., with additional language changes which also appoints Ms. Mahalick as secretary to the Commission.

MOTION: Councilor Felton made a motion to approve the changes to Ordinance No. 1999-S. Councilor Hill seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

A question from the audience on what the removal of “during public hearing” meant this was clarified.

Quasi Judicial Procedure: Certification that Public Notice of this Meeting has been posted as required:

Ms. Mahalick was sworn in at this time and affirmed that Public Notice has been posted.

These cases are being heard under provisions required by the New Mexico Court of Appeals intended to protect the rights of all parties and their witnesses and the swearing in of all parties giving testimony. The affected parties will have the right to cross-examine persons giving testimony.

Confirmation of no conflict of interest or ex-parte communication.

Councilor Simmons disclosed as a realtor she has spoken to Mr. Rizzo on behalf of a

client to which Mr. David Henderson stated Mr. Rizzo is not a party in this hearing but a witness and Councilor Simmons does not need to recuse herself.

Councilor Abrams stated he had no conflict of interest or ex-parte communication. Councilor Felton stated he had no conflict of interest or ex-parte communication. Mayor Stearley stated he had no conflict of interest or ex-parte communication. Councilor Hill stated he had no ex-parte communication but disclosed one of the attorneys present tonight represents a Board he sits on and is non-related to this hearing. Councilor Simmons stated she had no conflict of interest or ex-parte communication.

H. Appeal of the Preliminary Plat for Campbell Ranch SU-2007-11 and 2007-12, located off Highway 14, Bernalillo County, Town of Edgewood.

Mr. David Henderson reviewed the scope of the issues here tonight. Mr. Henderson turned the microphone over to the appellee, David Campbell, on behalf of Campbell Corporation. Mr. Campbell stated that there were two issues that he would like raised at this hearing. This hearing is an appeal of a Planning Commission decision that was rendered on December 17th, 2007. The appeal on this was filed two months after that decision of the Planning & Zoning Commission. When the Minutes were to be approved in January, there was not a quorum so the Minutes were approved at the February Commission Meeting and once the Minutes have been approved this starts the clock on the appeal process.

At this time the appellants were sworn in.

Ms. Barbara Harrington stated she is a resident of Sandia Knolls and is a land use planner. She stated they communicated with Ms. Mahalick and feels their submitted appeal was timely.

Mr. Henderson stated the official record are the approved minutes and not an oral decision or draft minutes. Draft minutes are to be prepared within ten days and having back to back meetings makes this difficult. Draft minutes are subject to change until approved in a Meeting. Ms. Mahalick stated the Finding of Fact are drawn from the approved Minutes. Mr. Henderson stated Minutes are summarized and not verbatim and further discussed the law and appeals are viewed. Ms. Mahalick also stated the draft minutes are reviewed by the Commission prior to the meeting date in which the minutes will be approved.

Mr. David Campbell stated on rebuttal. He agreed with submitting an appeal fifteen days after a decision is made. The written decision are approved Minutes. On research Sandia Knolls is not incorporated and so what constitutes a person. The individuals have not stated in the appeal any injury or loss as a result of the Planning Commission's decision. Mr. Campbell is requesting this appeal be dismissed.

MOTION: Councilor Felton made an affirmative motion to dismiss this appeal. Councilor Hill seconded the motion.

VOTE: Councilor Abrams voted nay. Councilor Felton voted nay. Councilor Hill voted nay. Councilor Simmons voted nay.

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Mr. Campbell stated a letter was sent to the Town and copied to the appellants asking they show what their standing is. In the appeal they have not seen, an injury or loss based on the Planning Commission's approval of a preliminary plat. Based on research they are not sure that Sandia Knolls Association is not incorporated and whether it constitutes a person. The Town's rules allows for a legal person who is aggrieved to file an appeal. Those individuals who filed the appeal have not indicated any harm or injury that is pertinent to them as to their property or property rights. With this Mr. Campbell is therefore asking that the case be dismissed based on the appellants do not have standing and if they can prove they have standing and have the requisite elements for eminent threat or otherwise, the case can go forward.

At this time Mr. Helmich was sworn in.

Mr. John Helmich of Sandia Knolls stated there are technical issues to be addressed. They feel the neighborhood will be damaged by the export of water. He stated there are not many associations that are incorporated. They feel they are hurt by the decision in that there will be an impact on water in Sandia Knolls and will affect the property value. There are by-laws and there was a meeting of the association to file an appeal. The neighborhood association has approximately fifty members. Mr. Helmich stated when fully developed they feel the population will be more than the Town. Highway 14 will be impacted and he stated he could not stress enough that the preliminary plat be denied or deferred until all aspects are examined.

At this time Ms. Sue Neustal was sworn in.

She lives in Sandia Knolls and feels they are harmed by the Planning Commission decision. They have spent money and time defending their water rights. The preliminary plat is not being scrutinized enough with their development in infrastructure and water.

Ms. Barbara Harrington stated this is an eminent threat, their wells could go dry and they have no access to water rights. She feels they are harmed by the preliminary plat. There are 600 lots in Sandia Knolls and about 400 homes on 1/2 acre. Bernalillo County has a small open space area.

Mr. Henderson stated they have heard testimony from three of the six persons who have filed the appeal and reviewed the appellant's document with the Council. He discussed the case and the document submitted with the Council.

Mr. Campbell stated the preliminary plat is for 92 lots which is less than the un-built lots in Sandia Knolls.

MOTION: Councilor Felton made a motion to deny the appeal for lack of standing on the part of Sandia Knolls Neighborhood Association. Councilor Hill asked this be modified back to the original motion being one and the same. Mr. Henderson clarified the standing. Councilor Hill seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

MOTION: Councilor Felton made a motion to dismiss the appeal on the basis of standing for the three individuals, appellants, from Sandia Knolls who filed the appeal and who gave testimony being Mr. Helmich, Ms. Harrington and Ms. Nuestel. Councilor Simmons seconded the motion.

VOTE: Councilor Felton voted nay. Councilor Abrams voted nay. Councilor Hill voted aye. Councilor Simmons voted aye. Mayor Stearley voted nay.

Mr. Henderson then advised there are the individual appellants who did not testify and in his opinion there is no factual basis they have been aggrieved, and recommends dismissal of those individuals.

MOTION: Councilor Simmons made a motion to dismiss this request for appeal by the other appellants who have not testified as they have no standing. Councilor Hill seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

At this time Mayor Stearley called for a break.

Mr. Henderson discussed on the merits of the appeal and asked that evidence be presented.

Mr. Helmich stated he had two points to present, he asked where it is written on the definition of a legal entity in the Town ordinances. Mr. Campbell referred to State Statute clarified this. Mr. Helmich also asked about the PRC ruling for Sandia Knolls in that there were no additional water rights, were they considered a legal entity. Mr. Henderson stated he is not aware of how this is determined. Mr. Helmich read a statement that does not oppose development; Campbell's two developments have been welcomed to the North 14 corridor. They are concerned about the building of 4000 homes with approximately 10,000 residents. How is the infrastructure being reviewed, they are looking at the impact to North 14 Highway with thousands more vehicles. They have seen no studies on water supply. At this time the Association is asking the Town to defer the preliminary approval to Campbell Ranch.

Mr. Henderson asked the reason for the deferral to which Mr. Helmich stated this will give the Town more time to review all aspects. Mr. Campbell asked Mr. Helmich if the issues on water were raised at the December 17th meeting to which Mr. Helmich was not present at that meeting. Mr. Helmich stated it would be better if their attorney was present to answer some of these questions. Mr. Henderson referred to appeal with regards to issues stated. Mr. Campbell stated he has staff present to discuss the water issues.

MOTION: Councilor Simmons made a motion to continue with the appeal. Councilor Hill seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye.

At this time Mr. Paul Rizzo was sworn in.

Mr. Rizzo stated he is the General Manager of Water Services Company. This is a

regulated utility company and have been asked to provide water to Campbell Ranch. They retain water rights and have 325 acre feet of water rights they own. Mr. Rizzo stated their company is obligated to provide water and cannot deny service if they are capable of doing so. He stated water rights are not restricted to Sandia Knolls. There is an application process that is filed with a review through the State Engineer's Office. Mr. Rizzo stated there were numerous renovations to the system they own. They are committed to the water pumped to their current customers. Water usage is monitored. There is a storage tank, well and extension lines where improvements were invested. There is a commitment of 160 acre feet to the development. Mr. Campbell inquired on the 92 lots, are these committed in having water provided. Mr. Rizzo stated yes. The State Engineer's Office approves all transfer of water rights and approved point of diversion.

There are no wet monitoring wells. There was a 10% rate increase prior to Mr. Rizzo's company taking over and another increase in December of 10%. As improvements are made to the system, and the company feels increases are needed these would be filed. The extension agreement has not been filed, signatures pending and should be filed next week.

At this time Mr. Jim Lendeman was sworn in.

Mr. Lendeman stated a replacement well was drilled and not finished. There is sufficient water that anticipates producing 1500 gallons per minute.

Mr. Hellmich asked Mr. Lendeman if their request for a permit was withdrawn to which Mr. Lendeman stated no. Also asked was a permit for farming filed and Mr. Lendeman stated no.

At this time Mr. Shelton Greer was sworn in.

Mr. Greer addressed the traffic and public infrastructure. At the Mr. Rizzo was asked on the additional well, is this new and the location? He stated it is in the Campbell Ranch and will be dedicated to them. At the Planning & Zoning presentation, several items were addressed in the original Commission approval.

MOTION: Councilor Hill made a motion to accept the appeal provided. Councilor Felton seconded the motion.

Mr. Henderson clarified the voting process. The vote of aye would signify the Planning & Zoning decision be overturned. The vote of nay would signify the Planning & Zoning decision be upheld.

VOTE: Councilor Abrams voted nay. Councilor Felton voted nay. Councilor Hill voted nay. Councilor Simmons voted nay.

13. CALL FOR PUBLIC HEARING.

I. Review of Ordinance No. 2006-06. Consideration to rescind the Ordinance Creating the Position of Town Administrator Clerk/Treasurer.

MOTION: Councilor Felton made a motion to call for a Public Hearing. Councilor Hill seconded for discussion.

Councilor Hill inquired on the procedure to which Mr. Rael stated due to the Ordinance creating the position the Public Hearing is required to rescind the Ordinance if that is the Council's desire.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

14. FINANCE AND ADMINISTRATION.

J. Approval of Town Bills for the month of February 2008.

MOTION: Councilor Felton made a motion to approve the payment of the Town Bills. Councilor Simmons seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

K. Approval of the Financial Report for the month of February 2008.

MOTION: Councilor Simmons made a motion to approve the Financial Report as submitted. Councilor Abrams seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

15. COMMUNITY PLANNING & DEVELOPMENT.

L. Waste Water Treatment Collection Line Easements & Agreements with the Bassett Trust.

MOTION: Councilor Simmons made a motion to accept the Agreement in the amount of \$5,200 for Parcel 1 and \$50,690 for Parcel 2. Councilor Hill seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

M. Approval of Job Description for Planning Office Assistant.

Ms. Mahalick reviewed her memorandum and stated Ms. Kathy Smith presently holds two titles and currently handles the development reviews, the business licenses, public notice mailings and is very familiar with a lot of the Planning Office process. The salary will be determined later. Ms. Smith has a work history of excellent performance for several years.

MOTION: Councilor Felton made a motion to approve Ms. Smith as the Planning Office Assistant. Councilor Hill seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

N. Impact Fee Discussion and schedule a Workshop.

MOTION: Councilor Simmons made a motion to table this item. Councilor Felton

seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

16. RESOLUTIONS.

O. Resolution No. 2008-18 - Requesting extension for Municipal Arterial Program (MAP)

MOTION: Councilor Simmons made a motion to approve Resolution No. 2008-18. Councilor Felton seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

P. Resolution No. 2008-19 – Extending the Sign Ordinance Enforcement Moratorium.

MOTION: Councilor Hill made a motion to approve Resolution No. 2008-19. Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

Q. Resolution No. 2007-20 – Rescind Naming of Highway 344 & Edgewood 7.

MOTION: Councilor Abrams made a motion to table this item. Councilor Hill seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

17. ANNOUNCEMENTS, CALENDAR REVIEW & FUTURE AGENDA ITEMS.

R. Regular Council Meeting – April 2, 2008 at 6:30 P.M.

S. Regular Council Meeting – April 16, 2008 at 6:30 P.M.

18. CONFERENCE-SEMINAR ATTENDANCE APPROVAL.

T. Annual Municipal Clerk's & Finance Officers Association Spring Meeting.

MOTION: Councilor Hill made a motion to approve Estefanie Muller attending the Clerk's Spring Meeting. Councilor Felton seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

19. TERMINATION OF THE USE OF TORRANCE COUNTY ANIMAL SHELTER.

Officer Vicki Murphy stated they do not use the shelter and with the temporary shelter the Town has they have 100% transference. They are doing well.

MOTION: Councilor Hill made a motion to terminate the use of the Torrance County Animal Shelter. Councilor Abrams seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

20. TOWN OF EDGEWOOD OFFICE STAFF

U. Approval to advertise/hire an Office Assistant.

Mayor Stearley stated the staff is in need of assistance at the front desk and is also looking at an interim person.

MOTION: Councilor Felton made a motion to approve the advertisement of an Office Assistant. Councilor Abrams seconded the motion.
VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

21. TOWN OF EDGEWOOD ORDINANCE UPDATE.

V. Animal Control Ordinance.

W. Sign Ordinance Input.

This item was tabled.

22. CHAMBER OF COMMERCE STREET MAP – Ms. Myra Oden.

Ms. Oden presented information on the street map guide they are working on. The Chamber is asking the Town to purchase a full page of advertisement for \$2995.00. The Town will create their own design.

MOTION: Councilor Simmons made a motion to purchase the advertisement. Councilor Felton seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

23. CLOSED SESSION.

As per motion and roll call vote, pursuant to NMSA 1978, 10-15-1(H) (2) and (H)(7), the following matter will be discussed in Closed Session.

1. Limited Personnel Matters.

2. Contract Negotiations.

MOTION: Councilor Hill made a motion to go into Closed Session pursuant to NMSA 1978, 10-15-1(H)(2) and (H)(7) to discuss limited personnel matters and contract negotiations. Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

MOTION: Councilor Hill made a motion to reconvene the meeting and stated for the record only the items listed were discussed and no action was taken. Councilor Simmons seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

24. RE-ORGANIZATIONAL MEETING. (CONTINUED)

X. Appointment of an Administrator.

Mayor Stearley stated he would entertain Council approval for Mr. Marty Hibbs as Interim Administrator.

MOTION: Councilor Hill made an affirmative motion for the appointment of Mr. Marty Hibbs as Interim Administrator. Councilor Felton seconded the motion.

VOTE: Councilor Abrams voted nay. Councilor Felton voted nay. Councilor Hill voted nay. Councilor Simmons voted nay.

MOTION: Councilor Hill made a motion to appoint Estefanie Muller as Interim Administrator. Councilor Simmons seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Abrams voted aye. The motion carried.

Y. Appointment of the Clerk-Treasurer.

MOTION: Councilor Hill made a motion to approve Estefanie Muller as the Acting Clerk-Treasurer. Councilor Felton seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

Z. Approval of Revised Organizational Chart.

MOTION: Councilor Hill made a motion to approve the amended Organizational Chart. Councilor Felton seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton seconded the motion. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

AA. Approval of Committees and Boards.

MOTION: Councilor Felton made a motion to approve the re-appointment of the Planning & Zoning Commission members. Councilor Hill seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

MOTION: Councilor Hill made a motion to approve the re-appointment of the Parks and Recreation Advisory Committee. Councilor Felton seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

MOTION: Councilor Hill made a motion to table the appointment of the remaining committees. Councilor Simmons seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

25. **ADJOURN.**

MOTION: Councilor Simmons made a motion to adjourn the Meeting. Councilor Hill seconded the meeting.

VOTE: All Councilors voted aye. The motion carried.

Mayor Stearley adjourned the Meeting at 12:35 A.M.

APPROVED AND ADOPTED this 2nd day of APRIL, 2008.

Honorable Robert Stearley, Mayor

ATTEST:

Estefanie B. Muller, Acting Administrator Clerk-Treasurer